

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:02-cr-00105-MR-WCM-4**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
	)	
<b>MICHAEL ANTHONY JENKINS,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**THIS MATTER** is before the Court on the Defendant’s Motion to Seal Supplemental Memorandum in Support of First Step Act Motion [Doc. 662].

The Defendant moves the Court to seal the Supplemental Memorandum filed in support of his *pro se* Motion for Reduced Sentence under the First Step Act of 2018 [Doc. 647]. For grounds, counsel states that the Supplemental Memorandum includes sensitive and private case-specific information that is inappropriate for public access. [Doc. 662].

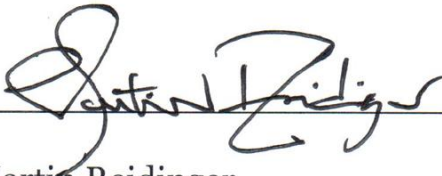
Before sealing a court document, the Court must “(1) provide public notice of the request to seal and allow interested parties a reasonable opportunity to object, (2) consider less drastic alternatives to sealing the documents, and (3) provide specific reasons and factual findings supporting

its decision to seal the documents and for rejecting the alternatives.” Ashcraft v. Conoco, Inc., 218 F.3d 288, 302 (4<sup>th</sup> Cir. 2000). In the present case, the public has been provided with adequate notice and an opportunity to object to the Defendant’s motion. The Defendant filed his motion on October 21, 2020, and it has been accessible to the public through the Court’s electronic case filing system since that time. Further, the Defendant has demonstrated that the Supplemental Memorandum contains sensitive case information and that the public’s right of access to such information is substantially outweighed by the Defendant’s competing interest in protecting the details of such information. Finally, having considered less drastic alternatives to sealing the document, the Court concludes that sealing of the Supplemental Memorandum is necessary to protect the Defendant’s privacy interests.

**IT IS, THEREFORE, ORDERED** that the Defendant’s Motion to Seal Supplemental Memorandum in Support of First Step Act Motion [Doc. 662] is **GRANTED**, and the Defendant’s Supplemental Memorandum in support of his Motion for Reduced Sentence under the First Step Act of 2018 [Doc. 661] shall be filed under seal and shall remain under seal until further Order of the Court.

**IT IS SO ORDERED.**

Signed: November 11, 2020

  
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Martin Reidinger  
Chief United States District Judge

